

FEB 06 2004

**FEDERAL ELECTION COMMISSION**  
999 E Street, N.W.  
Washington, D.C. 20463  
**FIRST GENERAL COUNSEL'S REPORT**

**SENSITIVE**

MUR: 5335R<sup>1</sup>  
DATE COMPLAINT FILED: October 30, 2002  
DATE OF NOTIFICATION: October 31, 2002  
DATE ACTIVATED: May 28, 2003

EXPIRATION OF STATUTE  
OF LIMITATIONS: July 8, 2007

**COMPLAINANT:**

Dennis Repenning

**RESPONDENTS:**

Geoff Davis for Congress and Joe Green, as  
treasurer<sup>2</sup>  
Bill Shehan, Jr.  
Georgia Shehan  
Susan Shehan  
Charles DeLadurantey

**RELEVANT STATUTES AND  
REGULATIONS:**

2 U.S.C. § 431(13)(A)  
2 U.S.C. § 432(i)  
2 U.S.C. § 434(b)(3)(A)  
2 U.S.C. § 437g(a)(5)(B)  
2 U.S.C. § 437g(d)  
2 U.S.C. § 441a(a)(1)(A)  
2 U.S.C. § 441a(f)  
2 U.S.C. § 441f  
11 C.F.R. § 103.3(b)(2)  
11 C.F.R. § 104.7(b)  
11 C.F.R. § 110.1(i)(2)

**INTERNAL REPORTS CHECKED:**

Disclosure Reports

**FEDERAL AGENCIES CHECKED:**

None

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT  
2004 FEB - 9 A 11: 35

<sup>1</sup> this matter was initially referred to the  
Alternative Dispute Resolution office. However, the Commission instructed this Office to activate this matter at the  
May 13, 2003 Executive Session.

<sup>2</sup> In its original Statement of Organization, the Committee was named "Geoff Davis 2002". The Committee  
originally designated its treasurer as Jody L. Green. On January 25, 2003, the Committee filed an amended  
Statement of Organization changing its name to "Geoff Davis for Congress" and its treasurer to Joe Green.  
However, the Committee's disclosure reports provide that the Committee's name is "Davis, Geoffrey C." For  
purposes of clarity, hereinafter this Office refers to the Committee as "the Geoff Davis for Congress Committee" or  
"the Committee."

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1    **I.    INTRODUCTION**

2            The complaint in this matter alleged that the Geoff Davis for Congress Committee ("the  
3    Committee") accepted excessive contributions from Bill Shehan, Jr. and Charles DeLadurantey  
4    in the form of contributions from their minor children that allegedly should have been attributed  
5    to Mr. Shehan and Mr. DeLadurantey. For the reasons set out below, this Office recommends  
6    that the Commission find reason to believe that Bill Shehan, Jr. knowingly and willfully violated  
7    the Federal Election Campaign Act of 1971, as amended ("the Act"), by making excessive  
8    contributions through his minor children, find no reason to believe that Charles DeLadurantey  
9    violated the Act and close the file as to him, find no reason to believe that the Committee  
10    accepted excessive contributions, find reason to believe that the Committee's reporting violated  
11    section 434(b)(3)(A) of the Act, and take no action against Georgia and Susan Shehan at this  
12    time.

13    **II.    DISCUSSION**

14            **A.    *Applicable Law***<sup>3</sup>

15                    **1.    Individual Contribution Limits and Contributions in the Name of Another**

16            The Act provides that no person shall make contributions to any candidate and his or her  
17            authorized political committees with respect to an election, which, in the aggregate, exceed  
18            \$1,000. *See* 2 U.S.C. § 441a(a)(1)(A). No committee shall knowingly accept any contribution in  
19            violation of this provision. *See* 2 U.S.C. § 441a(f).

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<sup>3</sup> All of the relevant facts in these matters occurred prior to the effective date of the Bipartisan Campaign Reform Act of 2002 ("BCRA"), Pub. L. 107-155, 116 Stat. 81 (2002). Accordingly, unless specifically noted to the contrary, all citations to the Act, codified at 2 U.S.C. §§ 431 *et seq.*, or statements of law regarding provisions of the Act contained herein refer to the Act as it existed prior to the effective date of BCRA. Further, unless specifically noted to the contrary, any reference to Title 11 of the Code of Federal Regulations refers to the regulation as it existed prior to the implementation of BCRA, and as it appears in the 2002 edition of the Code of Federal Regulations.

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1 No person shall make a contribution in the name of another and no committee shall  
2 knowingly accept such a contribution. See 2 U.S.C. § 441f. The Commission's regulations  
3 provide that if a treasurer determined at the time a contribution was received and deposited that it  
4 did not appear to be made in the name of another, but later discovers that it is illegal based on  
5 new evidence not available to the committee at the time of receipt, the treasurer shall refund the  
6 contribution to the contributor within 30 days of the date on which the illegality is discovered.  
7 See 11 C.F.R. § 103.3(b)(2).

## 8 2. Minor Contributions

9 Under the Commission's regulations, contributions from a minor child (under 18) are  
10 attributed to the child if (i) he or she makes a knowing and voluntary decision to contribute,  
11 (ii) the funds are owned or controlled exclusively by the child, and (iii) the contribution is not  
12 made from the proceeds of a gift given to the child for the purpose of providing funds to be  
13 contributed to a candidate for federal office See 11 C.F.R. § 110.1(i)(2).

14 The Supreme Court recently struck down an amendment to the Act that would have  
15 prohibited minors from making any contributions to a federal candidate. *McConnell v. Fed.*  
16 *Election Comm'n*, 124 S.Ct. 619, 711 (2003). In affirming the District Court decision, the Court  
17 held that 2 U.S.C. § 441k violated the First Amendment rights of minors and was overinclusive.  
18 *Id.* In discussing the provision, the Court noted the Government provided little evidence to  
19 demonstrate that a ban on contributions by minors was necessary to prevent individuals from  
20 circumventing the Act's contribution limits. *Id.* The Court suggested that section 441f of the  
21 Act may be "sufficient deterrence" of any such circumvention by prohibiting "any person from  
22 'making a contribution' in the name of another person." See *id.*; see also *McConnell v. Fed.*  
23 *Election Comm'n*, 251 F. Supp. 2d 176, 809 (D.D.C. May 1, 2003) (stating that "[a] complete

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ban on donations . . . prevents even a symbolic expression of support for a candidate or a party's agenda").

### 3. Reporting Requirements

The Act requires that political committees disclose the identification information of each person whose contributions have an aggregate amount in excess of \$200 within the calendar year. *See* 2 U.S.C. § 434(b)(3)(A). The Act defines "identification" as the name, the mailing address, and the occupation of the contributor, as well as the name of his or her employer. 2 U.S.C. § 431(13)(A). The Act also provides that a committee treasurer is in compliance with the Act when he or she has used "best efforts" to obtain the required contributor information. 2 U.S.C. § 432(i). Pursuant to the Commission's regulations, a treasurer will not be deemed to have exercised "best efforts" unless he or she has made at least one effort by a written request or by an oral request documented in writing to obtain such information from the contributor. 11 C.F.R. § 104.7(b).

### 4. Knowing and Willful Violations

The Act prohibits "knowing and willful" violations of its provisions. 2 U.S.C. §§ 437g(a)(5)(B) and 437g(d). The phrase "knowing and willful" indicates that "actions [were] taken with full knowledge of all of the facts and a recognition that the action is prohibited by law." 122 Cong. Rec. H 3778 (daily ed. May 3, 1976), *see also Fed. Election Comm'n v. John A. Dramesi for Cong. Comm.*, 640 F. Supp. 985, 987 (D.N.J. 1986) (distinguishing between "knowing" and "knowing and willful"). A knowing and willful violation may be established "by proof that the defendant acted deliberately and with knowledge" that an action was unlawful. *United States v. Hopkins*, 916 F.2d 207, 214 (5th Cir. 1990) In *Hopkins*, the court found that an inference of a knowing and willful violation could be drawn "from the defendants' elaborate

scheme for disguising their . . . political contributions . . .” *Id.* at 214–15. The court also found that the evidence did not have to show that a defendant “had specific knowledge of the regulations” or “conclusively demonstrate” a defendant’s “state of mind,” if there were “facts and circumstances from which the jury reasonably could infer that [the defendant] knew her conduct was unauthorized and illegal.” *Id.* at 213 (quoting *United States v. Bordelon*, 871 F.2d 491, 494 (5th Cir.), *cert. denied*, 439 U.S. 838 (1989)).

***B. Shehan Contributions***

According to the Committee’s disclosure reports, the Committee received a total of \$3,000 in contributions from members of the Shehan family on July 8, 2002 for the 2002 general election: \$1,000 from Bill Shehan, Jr.; \$1,000 from Georgia Shehan; and \$1,000 from Susan Shehan.<sup>4</sup> The complaint alleged that Georgia Shehan, who is “5 or 6 years” old, and Susan Shehan, who is “age 4,” are both daughters of Bill Shehan. Compl., ¶ 3. The complaint also referenced the Committee’s apparent initial misreporting of Georgia Shehan’s occupation. *See id.*, ¶¶ 5–6. In its October Quarterly Report, filed October 14, 2002, and its first amendment, filed on October 15, 2002, the Committee reported that Georgia Shehan’s occupation was “Homemaker” and that Susan Shehan’s occupation was “Unavailable.” In the Committee’s second amendment to its October Quarterly Report, filed on October 17, 2002, it reported each child’s occupation as “Unemployed.”

In its response and the accompanying affidavit of its treasurer, the Committee stated that it “received two cashier’s checks, each in the amount of \$1,000, listing Georgia Shehan and Susan Shehan, respectively, as the ‘remitter.’” Green Aff., ¶ 5a. According to the Committee, “the Shehan [c]ontributions were received along with numerous checks contributed at a

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<sup>4</sup> The disclosure reports show the same address for the Shehan daughters, which is different from the address shown for the father

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1 fundraising event,” and “a quick look at the checks presented no genuine question as to whether  
2 or not they should be deposited pursuant to 11 CFR § 103.3(b)(1).” Davis Resp., at p. 2; *see*  
3 Green Aff., ¶ 5b (Nothing “on the face of the check” suggested “that either remitter was a  
4 minor.”). The Committee also stated that it “did not learn the ages of the Shehans until it  
5 investigated press inquiries” and that when Georgia and Susan Shehan’s “status as minors was  
6 ascertained [the Committee] immediately refunded the contributions within . . . 30 days . . . and  
7 amended [its] October 2002 Quarterly report.” Davis Resp., at p. 2; *see* Green Aff., ¶¶ 5c–5d.  
8 The Committee’s response included copies of the two cashier’s checks, apparently executed by a  
9 bank officer, that include the names Georgia Shehan and Susan Shehan as “Remitter.” Green  
10 Aff., Ex. A. The response also included copies of refund checks to Georgia and Susan Shehan  
11 dated October 17, 2002 (*see id.*, Ex. B), and corresponding refunds were reported in the  
12 Committee’s 2002 Post-General Report, filed on December 5, 2002.

13 On December 16, 2002, Mr. Shehan, through counsel, filed a “request up to and  
14 including January 17, 2003 in which to respond” to the complaint. On December 18, 2003, this  
15 Office granted the extension until the close of business on January 17, 2003. However, Mr.  
16 Shehan chose not to respond to the complaint.<sup>5</sup>

17 **1. Knowing and Voluntary**  
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19 Although Mr. Shehan did not provide any additional information about his children’s  
20 ages, press reports support the complaint’s allegation that Georgia Shehan was five or six years

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<sup>5</sup> After Mr. Shehan failed to file a response despite requesting a continuance, his attorney was contacted to determine if he had filed a response but the Commission had not received it. Mr. Shehan’s attorney stated that his client chose not to respond to the complaint.

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1 old and Susan Shehan was four years old.<sup>6</sup> See also Davis Resp., p. 2 (“[T]heir status as minors  
2 was ascertained.”); Green Aff., ¶ 5d (“Georgia Shehan and Susan Shehan were minors”). Thus,  
3 there was no information submitted to contradict that the children were both under seven years of  
4 age.<sup>7</sup>

5 The Commission has previously examined whether an exceedingly young minor child's  
6 contribution to a federal candidate can be “knowing and voluntary.” In MUR 4484 (*In re*  
7 *Bainum, et al.*), the Commission found reason to believe that a father made excessive  
8 contributions where he made four \$1,000 contributions to four different candidates in the name  
9 of his infant son. The contributions were made using the father's checks, which contained his  
10 name imprinted on them and his son's name manually typed on the top of the check. Likewise,  
11 in MUR 4254 (*Hershey*), the Commission found reason to believe that parents had made  
12 excessive contributions where an eight-year-old child contributed to a candidate to whom the  
13 minor child's parents had already given the maximum contributions. See also MUR 4255  
14 (*Hitchcock*) (finding reason to believe that parents made excessive contributions where the  
15 children, whose names appeared on the checks, were one and three years old).

16 Even though the Commission's regulations contain no set age below which minors are  
17 conclusively presumed to be unable to knowingly and voluntarily contribute to a candidate, it  
18 seems highly unlikely that children as young as four to six years of age could form the intent to  
19 knowingly and voluntarily contribute to a federal candidate. In this matter, the evidence suggests

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<sup>6</sup> See Patrick Crowley, *Davis money draws fire Campaigns spar over donations*, The Cincinnati Enquirer, Oct. 18, 2002, available at [http://www.enquirer.com/editions/2002/10/18/loc\\_kydavis18.html](http://www.enquirer.com/editions/2002/10/18/loc_kydavis18.html) (referring to Georgia and Susan Shehan as Bill Shehan's “5- and 4- year old daughters”), Courtney Kinney, *Complaint Donation from kids, Davis campaign returned money*, The Kentucky Post, Oct. 23, 2002, available at <http://www.kypost.com/2002/10/23/compl102302.html> (reporting the girls' “ages [are] 4 and 5”), Joseph Gerth, *Election 2002 Lawyer says Davis took illegal funds; 4<sup>th</sup> District GOP candidate reports money refunded*, The Courier-Journal, Oct. 24, 2002, at 1B (stating Davis campaign confirmed Georgia was 5 and Susan was 4)

<sup>7</sup> A public record search revealed no information about Georgia and Susan Shehan

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1 that Georgia and Susan Shehan were indeed five and four years old; in its response, the  
2 Committee contends it investigated the girls' ages and "their status as minors was ascertained."  
3 Davis Resp., at 2. These facts, if proven true, provide reason to believe that Mr. Shehan violated  
4 the Act. See Statement of Reasons in MUR 4960 (*In re Hillary Clinton for U.S. Senate*  
5 *Exploratory Comm.*), at 1 (stating that "[t]he Commission may find 'reason to believe' if a  
6 complaint sets forth sufficient specific facts, which, if proven true would constitute a violation of  
7 the FECA"). Here, the complaint, press reports, and the Committee's response all contain facts  
8 that demonstrate Mr. Shehan may have violated the Act

9 Ordinarily, a complaint can be dismissed if it is "refuted with sufficiently compelling  
10 evidence." *Id.* However, by choosing not to respond to the complaint, Bill Shehan, Jr., has not  
11 provided any information that his daughters' contributions met the regulatory criteria that would  
12 permit the children's contributions to be attributed to them. There is also no publicly available  
13 information to contradict the allegations in the complaint with regard to Mr. Shehan. Absent any  
14 information to refute the complaint, there is reason to believe that Bill Shehan, Jr. violated the  
15 Act. On the other hand, due to their apparently young ages, this Office recommends the  
16 Commission take no action against Georgia and Susan Shehan at this time. This Office  
17 anticipates recommending the Commission close the file as to them once Georgia and Susan's  
18 ages are confirmed.

## 19 2. Knowing and Willful

20  
21 Since the contributions of Georgia and Susan Shehan apparently do not satisfy 11 C F R  
22 § 110.1(i)(2), they are properly attributed to Bill Shehan, Jr. See MUR 4255 (*Hitchcock*)  
23 Because Bill Shehan, Jr. concurrently contributed the maximum amount to the Committee, both

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1 of the contributions attributed to his minor children (totaling \$2,000), if attributed to him, were  
2 excessive. 2 U.S.C. § 441a(a)(1)(A).

3 Moreover, the multiple similarities among the Shehan contributions — same candidate,  
4 same date, same amount, and same election — suggest that Bill Shehan, Jr. may have engaged in  
5 a deliberate effort to circumvent the Act's contribution limits.<sup>8</sup> In addition, the vehicle used to  
6 make the children's contributions, cashier's checks, is consistent with the intention to disguise  
7 the children's exceedingly young ages. Because the contributions were by cashier's checks, the  
8 ages of the minor children almost remained undetected. the Committee reasonably claimed it  
9 had no reason to question the contributions since "no genuine question" appeared on the face of  
10 the checks. Davis Resp., at p. 2; Green Aff., ¶ 5. Moreover, if Mr Shehan furnished the  
11 information to the Committee that his daughter Georgia was employed as a "homemaker," this  
12 fact would also tilt in favor of a knowing and willful violation. See Part II.B.4 *infra*. As noted,  
13 Mr. Shehan chose not to provide any information to clarify the use of cashier's checks for  
14 contributions reported as coming from his very young children or to explain who may have  
15 supplied the employment information reported for his daughter, Georgia. Thus, based on the  
16 indicia set forth above, it appears that Bill Shehan, Jr. may have knowingly and willfully violated  
17 the Act.

18 There is no information currently available to the Commission that indicates the source of  
19 the funds used to make the children's contributions. One press report states, "Davis spokesman  
20 Marc Wilson said last week the children's father, Bill Shehan, told him the contributions were  
21 made from a trust fund." See Kinney, *supra* note 4. If the trust funds belonged to the children,  
22 Bill Shehan, Jr. may have violated 2 U.S.C. § 441a(a)(1)(A), and not section 441f; the crux of

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<sup>8</sup> Although Bill Shehan, Jr. previously made a number of contributions, a search of recent FEC records does not reflect contributions by Georgia and Susan to any other committees.

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1 the latter provision is that the putative contributor does not have his own funds at risk, generally  
2 because the funds for the contribution have been advanced or reimbursed by another person.<sup>9</sup>  
3 See MUR 4255 (*Hitchcock*) (Commission found reason to believe section 441a but not  
4 section 441f was violated where contributions were made by parents from their children's  
5 savings accounts); cf. MUR 5208 (*Amboy National Bank*) (Commission conciliated with Bank  
6 on a corporate facilitation theory rather than a section 441f reimbursement theory where there  
7 was evidence that employees controlled the accounts from which the contributions were made).  
8 If the children's trusts funded the contributions, it appears that Bill Shehan, Jr. may have  
9 exercised control over such trusts, and caused funds from them to be contributed to the  
10 Committee, in violation of 2 U.S.C. § 441a(a)(1)(A). If the children's contributions came from  
11 funds owned by their father, however, Mr. Shehan may have violated 2 U.S.C. § 441f by making  
12 contributions in the name of another. Since either scenario is possible at this point, this Office  
13 recommends that the Commission find reason to believe that Bill Shehan, Jr. knowingly and  
14 willfully violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

### 15 3. Safe Harbor

16 The Committee reported receiving the Shehan contributions on July 8, 2002. It does not  
17 appear that anything on the face of the cashier's checks indicated they might be improper. See  
18 Green Aff., Ex. A. The Committee's response avers that it first discovered, as a result of press  
19 inquiries, that Georgia and Susan Shehan were minors on October 16, 2002 and that the  
20 Committee refunded their checks, the next day, and immediately amended its October Quarterly

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<sup>9</sup> If the money came from the children's trust accounts, use of cashier's checks may not have been the only available way to disburse funds from those accounts. It is not uncommon for the trustee of a trust account to have checks (or sometimes even a debit card) with the imprinted names of the beneficiary and the trustee.

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1 report to change Georgia Shehan's occupation status from homemaker to "unemployed."<sup>10</sup>  
2 Accordingly, the Committee's next-day refund satisfied the 11 C.F.R. § 103.3(b)(2) thirty-day  
3 safe harbor for refunding a contribution discovered to be illegal. Therefore, this Office  
4 recommends the Commission find there is no reason to believe the Geoff Davis for Congress  
5 Committee and Joe Green, as treasurer, violated 2 U.S.C. §§ 441a(f) or 441f.

6 **4. "Best Efforts"**

7 In its response, the Committee did not address the issue of the source of the information,  
8 which appears in its original and first amended 2002 October Quarterly reports, that Georgia  
9 Shehan's occupation was that of "homemaker," a status that is misleading when describing a 5 or  
10 6 year-old child. If the Committee, not Mr. Shehan, was the source of that information, then the  
11 Committee may have speculated that Georgia Shehan was Mr. Shehan's wife, rather than his  
12 daughter. However, when a contributor has not furnished occupational information, it is  
13 incumbent upon the recipient committee to use "best efforts" to seek that information in  
14 accordance with 11 C.F.R. § 104.7(b), rather than report the Committee's best speculation. At  
15 this time, the Office does not know the circumstances surrounding the Committee's reporting,  
16 three months after receiving the contribution, of Georgia Shehan's occupation as homemaker."<sup>11</sup>  
17 It is possible the information may have emanated from the Committee. Therefore, because it is  
18 the Committee's duty to use its best efforts to obtain the missing identification information in  
19 order to properly report to the FEC, this Office recommends that the Commission find reason to  
20 believe the Geoff Davis for Congress Committee and Joe Green, as treasurer, violated 2 U.S.C.  
21 § 434(b)(3)(A).

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<sup>10</sup> As noted, the Committee's 2002 Post-General Report reported a refund on October 17, 2002

<sup>11</sup> The Committee's disclosure reports do not appear to have a pattern of noting females as "homemaker." Additionally, the Committee's reports initially reported Susan Shehan's occupation as "unavailable" and later amended it to "unemployed."

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**C. DeLadurantey Contributions**

According to the Committee's reports, between December 14, 2001 through December 18, 2001 the Committee received a total of \$9,000 in contributions from individuals with the last name of DeLadurantey: \$2,000 from Amber DeLadurantey on December 17, 2001; \$2,000 from Charles DeLadurantey on December 18, 2001; \$2,000 from Michelle DeLadurantey on December 18, 2001; \$2,000 from Nathan DeLadurantey on December 17, 2001; and \$1,000 from Sarah DeLadurantey on December 14, 2001.<sup>12</sup> The complaint alleged that "due to the young age of some of the named contributors," their contributions "are attributable to Chuck Deladurantey [sic], who arranged that the contributions be made and controlled the funds in question," and that Mr. DeLadurantey therefore violated 2 U.S.C. § 441a(a)(1)(A) by making excessive contributions to the Committee Compl. at ¶ 13.

In response, Charles DeLadurantey submitted sworn affidavits from himself and from each of his children: Amber, Nathan, and Sarah The affidavits stated that two of the children, Amber and Nathan, were over the age of 18 when they made their contributions.<sup>13</sup> See C. DeLadurantey Aff., ¶ 2-3; A. DeLadurantey Aff., ¶ 1; N. DeLadurantey Aff., ¶ 1. Those two children further averred that they are employed and their contributions were made knowingly and voluntarily from their own funds. See A. DeLadurantey Aff., ¶¶ 2-3; N. DeLadurantey Aff., ¶¶ 2-3. In her affidavit, Sarah DeLadurantey, who was 17 at the time of her contribution, stated that she is employed part-time and affirms that her contribution to the Committee "was made knowingly and voluntarily from [her] own personal funds and was not the result of a gift from

<sup>12</sup> The complaint alleges \$8,000 in contributions from the DeLaduranteys. The Committee's 2001 Year-End report categorized each \$2,000 in contributions evenly between the 2002 primary and general elections. The Committee categorized Sarah DeLadurantey's \$1,000 contribution as designated for the 2002 primary election.

<sup>13</sup> Public records confirm the dates of birth Amber and Nathan DeLadurantey provided in their affidavits, records indicate Amber's date of birth [redacted] and Nathan's date of birth [redacted]. This Office could not locate Sarah DeLadurantey's date of birth through a public records search [redacted].

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1 another individual." See S. DeLadurantey Aff., ¶¶ 2-3; see also C. DeLadurantey Aff., ¶ 5  
2 (stating that all three of the children "are politically and civilly active in our community" and that  
3 "[a]ll three worked extensively" on another federal campaign). The Committee also attached the  
4 same affidavits from the DeLadurantey children to its response as support for its request that the  
5 Commission take "no action" as to the complaint's allegations concerning the DeLadurantey  
6 contributions. See Davis Resp., at pp. 3-4 & Attach ¶ 6

7 The DeLadurantey response does not discuss the contributions from Michelle  
8 DeLadurantey. The complaint, which does not specify the DeLadurantey contributors by name  
9 referenced the young ages of "some of" the DeLadurantey contributors — leading to the  
10 inference that all were not included. Further, public records demonstrate that Michelle  
11 DeLadurantey was born [REDACTED] In light of her date of birth, her listed occupation as  
12 "Homemaker," and the submission of sworn responses regarding their contributions by the  
13 remainder of the DeLadurantey family, this Office believes that Michelle DeLadurantey is  
14 Charles DeLadurantey's wife, not a minor child. Based on the foregoing, this Office  
15 recommends that the Commission find no reason to believe that Charles DeLadurantey violated  
16 2 U.S.C. §§ 441a(a)(1)(A) or 441f, and find no reason to believe that the Geoff Davis for  
17 Congress Committee and Joe Green, as treasurer, violated 2 U.S.C. §§ 441a(f) or 441f with  
18 regard to the contributions of the DeLadurantey family.

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20 **III. INVESTIGATION**

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19 **IV. RECOMMENDATIONS**

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- 21 1. Find reason to believe that Bill Shehan, Jr. knowingly and willfully violated 2 U.S.C
- 22 §§ 441a(a)(1)(A) and 441f;
- 23
- 24 2. Find no reason to believe that Charles DeLadurantey violated 2 U.S.C
- 25 §§ 441a(a)(1)(A) or 441f and close the file as it pertains to this Respondent.
- 26
- 27 3. Find reason to believe that the Geoff Davis for Congress Committee and Joe Green,
- 28 as treasurer, violated 2 U.S.C § 434(b)(3)(A).

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4. Find no reason to believe that the Geoff Davis for Congress Committee and Joe Green, as treasurer, violated 2 U.S.C. §§ 441a(f) or 441f;
5. Take no action as to Georgia Shehan and Susan Shehan at this time;
6. Approve the attached Factual and Legal Analyses;
7. Authorize the use of compulsory process, if it becomes necessary, to investigate the matter, including the use of subpoenas duces tecum, interrogatories, and the authority to conduct depositions, directed to Bill Shehan, Jr., the Geoff Davis for Congress Committee, Joe Green, as treasurer, and to other witnesses as deemed necessary; and
8. Approve the appropriate letters.

2/10/07  
Date

Lawrence H. Norton  
General Counsel

BY:

Rhonda J. Vosdingh  
Rhonda J. Vosdingh  
Associate General Counsel for Enforcement

Sidney Rocke  
Sidney Rocke  
Assistant General Counsel

Ana J. Peña-Wallace  
Ana J. Peña-Wallace  
Attorney

Attachments:  
Factual and Legal Analyses

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